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Cases in adult criminal courts involving intimate partner violence

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.. not available for a specific reference period
... not applicable
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0^s value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
^{p} preliminary
^{r} revised
x suppressed to meet the confidentiality requirements of the *Statistics Act*
^{E} use with caution
F too unreliable to be published
* significantly different from reference category ($p < 0.05$)

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Cases in adult criminal courts involving intimate partner violence: highlights

- Between 2005/2006 and 2010/2011, intimate partner violence (IPV) accounted for about six in ten (57%) completed adult criminal court cases resulting from violent criminal incidents reported by police.
- Over the six year period, the victim was female in about two-thirds of all completed adult criminal court cases that involved violence. The proportion was higher among cases involving intimate partner violence, where 85% of victims were female, and 15% male. In cases not involving intimate partners, 57% of victims were male.
- Of completed cases with a female victim, just under three-quarters (72%) were cases with intimate partner violence, compared to 25% for cases involving male victims.
- Of completed cases involving police reported intimate partner violence, 54% involved violence between dating partners and 46% involved spousal violence. Just under one-quarter (24%) of all cases involving intimate partners involved violence which occurred after a break-up.
- Cases of intimate partner violence involving a male accused more frequently involved multiple charges than those with a female accused (60% compared to 44%).
- The median length of time to complete an intimate partner violence case (124 days) was shorter than that for cases which did not involve intimate partner violence (non-IPV) (151 days).
- Most completed cases involving violent offences (both IPV and non-IPV) led to a guilty verdict on at least one charge. A slightly larger proportion of non-IPV cases (64%) resulted in a guilty verdict than did IPV cases (60%).
- Probation was the more serious sentence imposed in just under half (49%) of intimate partner violence (IPV) cases with a guilty decision. About one-third (31%) of IPV cases with a guilty decision resulted in a sentence of custody. Breach of probation, sexual assault, and major assault were the types of offences most likely to result in a custody sentence among guilty intimate partner violence cases.
- Males accused in cases involving intimate partner violence were sentenced to custody more frequently than female accused (33% compared to 14%), reflecting the larger proportion of IPV cases with multiple charges involving male accused.
- The majority (85%) of cases involving intimate partner violence resulting in a sentence of custody had a sentence of six months or less. A small proportion (3%) had a sentence of more than one year.

Cases in adult criminal courts involving intimate partner violence

by Pascale Beaupré

The legal response to the issue of intimate partner violence has evolved over the last thirty years, with the criminal justice system playing a more active role in addressing this form of violence - once considered a private matter (Sinha 2013; Schneider 2008). While there are currently no nationally legislated offences in Canada specific to intimate partner violence, special consideration is given to the harm that comes from intimate partner violence in the *Criminal Code of Canada* in section 718.2(a) (ii), which makes it an aggravating factor for sentencing purposes when an offence involves the abuse of a spouse or common law partner. The majority of provinces and territories have also implemented justice system responses specific to intimate partner violence to better address the unique needs of both victims and offenders (Tutty et al. 2008; Department of Justice Canada 2003). Examples of these responses include changes to policing and prosecution protocols (such as pro-charge and pro-prosecution policies), specialized training programs for police and Crown counsels, dedicated domestic violence courts, interagency protocols and the availability of civil protection/restraining orders (Department of Justice Canada 2013; Johnson and Dawson 2011).

Intimate partner violence is complex and can result in a crisis situation for victims who require immediate protection and a rapid response from the justice system or quick intervention in order to ensure the offender has access to treatment (Gill and Ruff 2010; Tutty et al. 2011; Nova Scotia Department of Justice 2010). Current research notes that victims of intimate partner violence are at greater risk of further violence when they leave an abusive relationship (Johnson and Hotton 2003). The potential for violence may be even greater when the leaving coincides with the involvement of the criminal justice system (Drouin and Drolet 2004). As such, it is important to explore how the criminal court system treats cases related to intimate partner violence.

While national level statistics on the prevalence, nature and extent of intimate partner violence have been well documented, in contrast there has been little research to date examining what happens to intimate partner violence cases once they enter the criminal court system. Some studies, however, have reviewed intimate partner violence cases once they have entered specialized Domestic Violence Courts, which have been developed with the objectives of facilitating the prosecution of domestic violence cases and providing early support to victims and their children (see Text box 3 for a brief description of these courts). Research reports focusing on these specialized courts have looked at court processes and outcomes (Nova Scotia Department of Justice 2010), their effectiveness (Tutty et. al. 2011) as well as their intent and impact (Gill and Ruff 2010; Quann 2006).

To help address the gap in national level data on intimate partner violence court processes and outcomes, a demonstration study was undertaken in 2004 that linked police records from the Incident-based Uniform Crime Reporting (UCR) Survey to criminal court records in the Integrated Criminal Court Survey (ICCS) (Gannon and Brzozowski 2004). The linking of these data files permitted researchers to analyze outcomes of cases involving incidents of some form of family violence before the courts. While this study was not nationally representative, as data were available only for a select number of urban areas, the data made it possible to analyze the similarities and differences in sentencing outcomes between family violence cases and non-family violence cases.

This *Juristat* article builds on the Gannon and Brzozowski (2004) study with more recent data, linking police-reported incidents from the Incident-based UCR Survey with their related court cases from the ICCS. This report examines violent incidents reported between 2006 and 2011, and adult criminal cases completed between 2005/2006 and 2010/2011 for all provinces and territories (excluding Quebec).

This record linkage analysis sheds light on the characteristics of completed cases in adult criminal courts and highlights differences and similarities between intimate partner violence (referred to as IPV) cases and non-intimate partner violence (referred to as non-IPV) cases (see Text box 2 for detailed definitions). In addition, the report examines the relationship between the victim and the accused and the seriousness of the offences. This analysis also explores the outcomes of completed cases, the sentences imposed, and the time required to complete IPV and non-IPV cases in order to determine whether or not courts treat IPV cases differently, by imposing longer sentences and/or processing these cases in a more expedient fashion relative to non-IPV cases.

Text box 1
Differences between police-reported offences and final charges in completed criminal court cases

This report examined those court cases from the Integrated Criminal Court Survey (completed between 2005/2006 to 2010/2011) which could be linked to police-reported violent incidents from the Uniform Crime Reporting Survey. It examined all completed criminal court cases where the linked police-reported incident involved at least one violent offence, and resulted in a charge for one or more offences. These cases were then classified according to the relationship between the victim and the accused. The linkage excluded all cases where the incident involved multiple accused.[1]

By the time a case is completed in the courts, the violent incident initially reported by police may differ from the final charge or charges processed by the court. A police-reported incident may involve multiple offences for which only one charge is laid. The charge laid may be in relation to an offence other than the violent offence reported in the incident. In addition, the decision on the charges for which an arrested individual will be tried rests with the Crown attorney. As a result, the number and nature of charges addressed by the criminal court can differ from the offences initially reported by the police. The Crown attorney may request changes to charges as a result of plea negotiations, deciding that there is insufficient evidence to prove the initial charges, evidence of additional crimes which were not initially charged, or the withdrawal of the complaint by the complainant. In many provinces and territories with pro-charging and pro-prosecution policies, withdrawal of the complaint is less likely to occur in IPV cases where there is reasonable prospect of conviction and it is in the public interest to prosecute (Department of Justice Canada 2013).

To illustrate such a change, a charge of common assault against an intimate partner initially laid by the police (according to the Uniform Crime Reporting Survey) could be changed to a charge of violating the conditions of a probation order in adult criminal court (according to the ICCS). As a result, the charge then becomes an offence against the administration of justice rather than a crime against the person. Although the criminal charge dealt with in court is then not directly related to violence against an intimate partner, it is included in this analysis because it examines the court processing of all incidents where police have reported a violent offence, regardless of whether or not the case was dealt with as a violent offence in the courts.

It should also be noted that in cases where there are multiple charges, the most serious offence identified in the court data is the one with the most serious decision (ex. guilty), even where it is a less serious offence than the other charges in the cases which did not result in a guilty decision.

Text box 2
Definitions

Intimate partner violence (IPV): Includes violence committed by a spouse, a common-law partner or a dating partner. Includes violence committed in the context of an intimate relationship.

- **Includes spousal violence:** Police-reported violent offence committed against a spouse (married or common-law) or an ex-spouse (from a marriage or common-law union).[2]
- **Includes dating violence:** Police-reported violent offence committed by a boyfriend or girlfriend (current or former) or by a person with whom the victim had a sexual relationship or a mutual sexual attraction (but who was not considered the victim's boyfriend or girlfriend). Dating partners may or may not live together.[3]

Non-intimate partner violence (Non-IPV): Includes police-reported violence committed by a friend, an acquaintance, an associate (in business or in a criminal relationship), an authority figure, a neighbour, a stranger, or a non-spousal family member.[4]

An **IPV case** refers to any case completed in adult criminal court between 2005/2006 and 2010/2011, where the court record could be linked to a police-reported incident involving a violent offence, and where the victim and the accused were intimate partners (current or former spouses or dating partners).

A **non-IPV case** refers to any case completed in adult criminal court between 2005/2006 and 2010/2011, where the court record could be linked to a police-reported incident involving a violent offence, and where the victim and the accused were not intimate partners.

Violent offence: Offences against the person include using or threatening to use violence against a person. These offences include homicide, attempted murder, physical assault, sexual assault, offences resulting in the deprivation of freedom, criminal harassment, uttering threats and other offences against the person or involving the threat of violence.

Completed case: A completed case is one or more charges against an accused person that were processed by the courts at the same time and received a final decision.

Majority of completed cases involving violence in adult criminal courts were related to intimate partner violence

Between 2005/2006 and 2010/2011, there were close to 335,000 completed cases[5] in adult criminal court involving a police-reported violent offence. Of these cases, almost 6 in 10 (57%) involved a police-reported violent offence committed against an intimate partner (see Text box 2). The remaining completed cases were linked to police-reported violent incidents where the accused was a friend or acquaintance (21%), a stranger (14%), or a family member (9%) of the victim (Table 1).

The larger proportion of cases involving IPV completed by the courts may be attributed to the fact that police are more likely to lay charges in violent incidents where the victim is an intimate partner. According to police-reported data, charges were laid in 71% of IPV incidents compared to 50% for non-IPV incidents (Beaupré 2015).

However, it should also be noted that the larger proportion of completed court cases involving IPV may also be related to the manner in which the data files were linked for this analysis. For the linking of the court and police data files, those police-reported incidents involving multiple accused were excluded due to the fact that the victim accused relationship could not be clearly defined. This exclusion may have resulted in more non-IPV cases being removed from the analysis as these types of incidents are more likely than IPV incidents to involve more than one accused.

Most frequent offence for completed cases in adult criminal courts is common assault

In more than one third of the completed court cases examined in this analysis, the most serious offence in the case was common assault (36%). The next largest proportion of cases involved a non-violent offence, with nearly three in ten (29%) of the completed court cases involving crimes such as theft, break and enter, fraud, possession of stolen property, even though the police originally reported that the incident involved a violent offence (see Text box 1) (Table 2).

Further analysis of cases before the courts indicates that there are some differences in the distribution of the most serious offence types between IPV and non-IPV cases. Specifically a larger proportion of IPV cases (43%) were related to common assault compared to non-IPV cases (27%). In contrast, a larger proportion of non-IPV cases involved major assault than IPV cases (18% and 11% respectively) (Table 2).

The majority of completed intimate partner violence cases involved a female victim

Police-reported data show that females are more likely to be victims of intimate partner violence than males (Beaupré 2015), which was also evident in the completed cases before the criminal courts. In about two-thirds of all completed cases in adult criminal court involving violence over the six year period, the victim was female (66%). The percentage was higher among IPV cases, where 85% of victims were female and 15% were male. Among non-IPV cases, a larger proportion of victims were male (57%).

Among all cases involving a female victim, a large majority (72%) were IPV cases. In contrast, among completed cases of violence involving male victims, the perpetrator was more likely to be a friend or acquaintance (35%) or a stranger (29%) than an intimate partner (25%) (Table 1).

Overall, in court cases linked to police-reported violent incidents, the median age of the victim at the time of the incident was 31 years, regardless of the relationship between the victim and the accused.[6] In nearly 60% of IPV cases, however, the victim was between 25 and 44 years of age at the time of the incident, compared with approximately 40% for non-IPV cases. For non-IPV cases, there were larger proportions of victims under the age of 25 (36%) at the time of the incident.

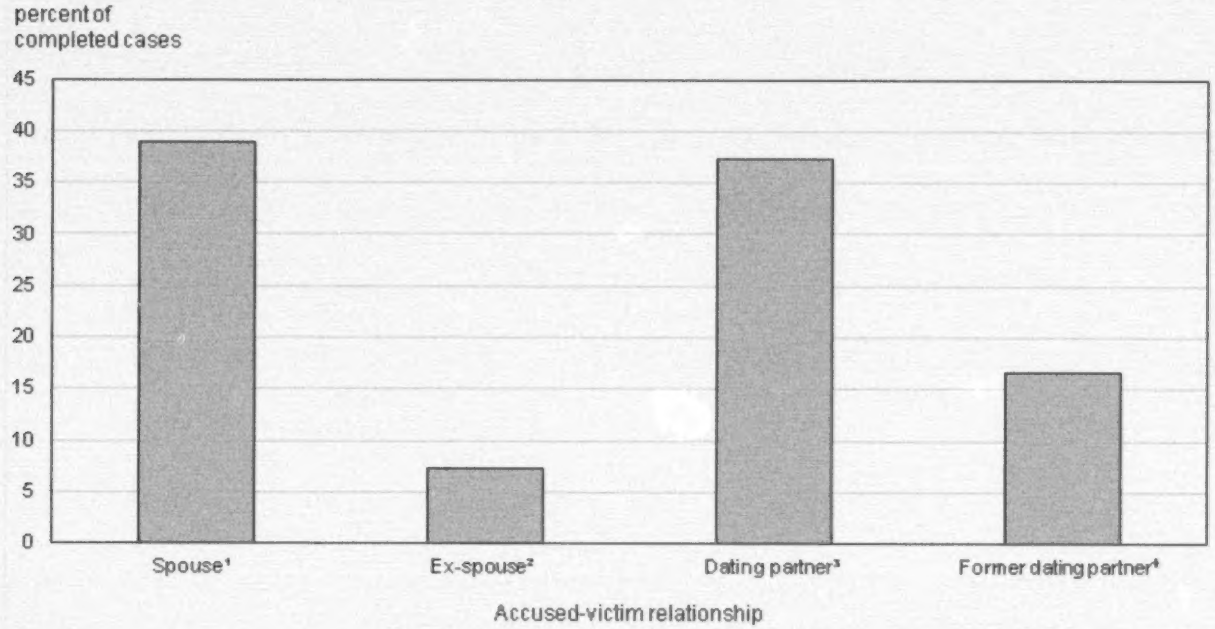
In completed cases involving violent offences, the accused was most often male, regardless of whether the violence was committed against an intimate partner (85%) or another person (82%) (Table 3).

Overall, about six in ten of all completed court cases in the study included multiple charges against the accused, for both IPV and non-IPV[7] cases (Table 4). This was especially prevalent for cases involving males accused in IPV cases (60%), while the proportion of cases with multiple charges was smaller when the accused was female (44% of all cases – IPV and non-IPV).

Over half of intimate partner violence cases completed in court involved dating partner violence

According to police-reported data, victims of dating partner violence account for a larger proportion of intimate partner violence than victims of spousal violence (Beaupré 2015). Similarly, among IPV cases completed in adult criminal courts, 54% involved dating partner violence, while 46% of cases were spousal violence. Almost one-quarter (24%) of IPV cases involved post-breakup violent offences between ex-spouses or former dating partners (Chart 1).

Chart 1
Intimate partner violence cases completed in adult criminal court, by accused-victim relationship, Canada, 2005/2006 to 2010/2011



1. The accused was the victim's spouse (married or common-law) when the incident was reported to the police. Includes same-sex partners.
2. The accused was separated (from a marriage or common-law union) or divorced from the victim when the incident was reported to the police. Includes same-sex partners.
3. The accused was a boyfriend or girlfriend or a person with whom the victim had a sexual relationship or a mutual sexual attraction when the incident was reported to the police.
4. The accused was an ex-boyfriend or ex-girlfriend or a person with whom the victim had had sexual relationship or a mutual sexual attraction which was no longer the case when the incident was reported to police.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Intimate partner violence cases slightly less likely to result in a guilty verdict compared to non-intimate partner cases

Of interest to many is whether the decisions of the courts in cases of intimate partner violence differ from cases of similar violent acts outside of an intimate relationship. Overall, most completed cases involving violent offences (both IPV and non-IPV) led to a guilty verdict on at least one charge.[8] Of note, however, is that a slightly larger proportion of non-IPV cases (64%) resulted in a guilty verdict than did IPV cases (60%) (Table 3).

Among completed IPV cases, a guilty outcome was more common for male accused (63%) than for female accused (44%). This difference was not as pronounced in non-IPV cases, where 65% of male accused and 57% of female accused were found guilty.

Of the 189,493 completed cases involving multiple charges, approximately three-quarters resulted in a guilty outcome, regardless of whether the violence was committed against an intimate partner or another person. In contrast, single charge cases were more likely to result in a stay or withdrawal (56% for IPV cases and 51% for non-IPV cases) (Table 4).

Larger proportion of guilty findings among non-intimate partner violence cases for major assault and sexual assault relative to intimate partner violence cases

In this study, cases involving common assault were those most frequently seen by the court. For cases involving common assault 52% of IPV cases resulted in a guilty finding compared to 55% of non-IPV cases. Furthermore, common assault cases, whether IPV on non-IPV related, were predominantly single guilty decisions. For cases involving uttering threats, mischief, breach of probation and failure to comply with a court order, the difference between IPV and non-IPV cases was similarly small (Table 5).

However, in cases involving major assault or sexual assault, non-IPV cases had a notably higher proportion resulting in a guilty finding: 62% of accused in non-IPV major assault cases were found guilty compared to 49% in IPV cases. Overall, sexual assault cases were less likely to result in a guilty finding, but again accused in non-IPV cases (45%) were more likely to be found guilty than accused in IPV cases (34%) (Table 5).

The only offence where IPV cases had a higher proportion of guilty decisions than non-IPV cases was criminal harassment where 60% of IPV cases resulted in a guilty finding compared to 51% in non-IPV cases (Table 5).

Case processing time shorter for intimate partner violence cases than for non-intimate partner violence cases

Under the *Canadian Charter of Rights and Freedoms*, accused persons have the fundamental right to be tried within a timely manner.[9] In general, there is no set time period prescribed for the completion of criminal court cases; however, a period of 8 to 10 months is considered acceptable (Department of Justice Canada 2006). The time required to complete a case is the time elapsed between the first appearance and when a final decision is rendered on all charges in the case.[10] Given the family context of many IPV cases, processing these cases in a timely manner is a particular concern for the justice system. Speedy processing for IPV cases may ensure timely protection for victims and ensure that offenders get the required treatment and may result in fewer victims recanting and/or withdrawing their complaint (Tutty et. al 2011).

Results from the linked file analysis indicate that IPV case processing times were significantly shorter than for non-IPV related cases. For most types of cases, whether they involved single or multiple charges or resulted in a finding of guilt or otherwise, IPV cases were completed more quickly than non-IPV cases on average. Overall, the median processing time for all completed cases covered in this analysis, between 2005-2006 and 2010-2011 was 134 days or just over 4 months. The median time to complete IPV cases (124 days) was just under one month shorter than the time needed to complete non-IPV cases (151 days) (Table 6).

Nearly half (49%) of completed IPV cases were completed in less than four months (data not shown) while a slightly smaller proportion of non-IPV cases (40%) were completed within the same time period. A minority of IPV (9%) and non-IPV (15%) cases took more than one year to be completed.

The shorter amount of time involved in the completion of IPV cases was evident when looking at cases involving all the most frequently reported offence types with the exception of uttering threats. For that offence, the median amount of time taken for processing was similar between IPV and non-IPV cases.

The length of time taken to complete cases in criminal court can also depend on the number of charges against the accused. From the first appearance to the completion of IPV cases, the median processing time was 99 days for cases with a single charge and 143 days for cases with two or more charges. This difference was also evident among non-IPV cases, though it was less pronounced (134 days for a single charge case versus 163 days for multiple-charge cases) (Table 6).

Text box 3
The Criminal Justice System and Intimate Partner Violence Initiatives

Due to the unique circumstances that are often present in IPV cases, provinces and territories have introduced numerous initiatives over the past couple of decades to assist intimate partner violence victims who come into contact with the justice system (Du Mont et al. 2005). While these initiatives vary by jurisdiction, there are several common elements between them, specifically the introduction of pro-charging policies, pro-prosecution policies, interagency protocols and specialized domestic violence courts.

Pro-charging policies have been implemented in many provinces and territories with the primary objective of shifting responsibility for laying charges from the victim to the police, which in turn increases the number of charges laid and the reporting of intimate partner abuse incidents (Department of Justice Canada 2003). Another objective of these policies is to ensure that intimate partner cases are treated with the same criminal standard as is applied to other violent offences (Department of Justice Canada 2013). Similarly, pro-prosecution policies seek to promote more rigorous prosecution of intimate partner violence cases, to ensure that these cases are not treated any less seriously than stranger assault, to reduce the number of withdrawals and stays of charges in intimate partner violence cases, to promote victim co-operation in the prosecution, and to reduce re-offending (Department of Justice Canada 2003).

Domestic violence courts are a somewhat recent innovation in Canada, but have become increasingly present in jurisdictions across the country. The first was introduced in Winnipeg, Manitoba in 1991 (Ursel 2013). The overall objective of these courts is to more effectively address family violence by increasing the accountability of the offender, improving victim safety (Tutty and Koshan 2013), facilitating intervention and prosecution, expediting court processing, and providing a focal point for programs and services for both victims and offenders (Department of Justice Canada 2013). As such, these courts often liaise with other sectors of the community, such as treatment agencies, specialized police units, Crown prosecutors, victim advocates and probation officers (Tutty and Koshan 2013; Department of Justice Canada 2013).

Probation most common sentence in intimate partner violence cases

During sentencing, the judge considers several factors before arriving at a decision. These factors include the seriousness and nature of the offence, minimum sentences provided for in the *Criminal Code* or other statutes, aggravating and mitigating circumstances, offender rehabilitation, the offender's prior criminal history, the need to protect the victim and his/her family, and the interests of justice and society (Dawson 2004; Department of Justice Canada 2003).

At the end of proceedings, probation[11] and custody[12] were the sentences[13] most often imposed in cases involving violent offences, for both IPV and non-IPV cases. In IPV cases, probation was the most common sentence, handed down in just under half of such cases (49%). A smaller proportion (40%) of guilty non-IPV cases resulted in a sentence of probation (Table 7).

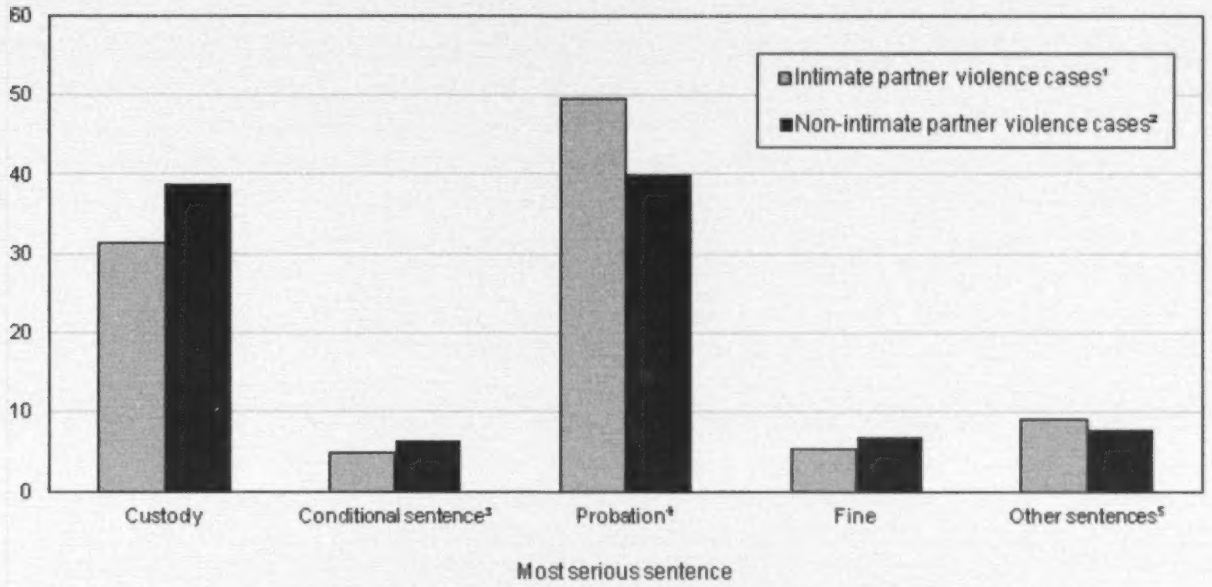
It is important to note that these results do not take into consideration time spent in detention before sentencing and its subsequent impact on the type of sentence and length of custodial sentence ordered.

The type of sentence and length of custodial sentences could be affected if time was spent in pre-sentencing custody. For example, "time served," or time spent in detention before the court decision and sentencing (which is not uncommon for more serious offences), is likely to reduce the length of the sentence in some cases to the point that no further time in custody is considered appropriate, even though other types of sentences may be ordered instead (Uniform Law Conference of Canada 2009). In addition, the family circumstances of IPV cases make them different from non-IPV cases. IPV cases may be more likely to involve the need to protect the victim from further harm which may have an impact on denial of bail and pre-trial detention, which may influence sentence length.

Custody more often imposed in non-intimate partner violence than in intimate partner violence cases

IPV cases were less likely to result in a sentence of custody (31%) than were non-IPV cases (39%) (Chart 2, Table 8). This may be related to the fact that non-IPV cases were more likely to involve the more serious charges of major assault and sexual assault. These two offences comprised 21% of guilty non-IPV cases, while representing 9% of IPV cases with a guilty decision (Table 8).

Chart 2
Guilty cases completed in adult criminal court, by most serious sentence and relationship, Canada, 2005/2006 to 2010/2011



1. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
2. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.
3. The conditional sentencing option came into force under Bill C-41 in September 1996. When a conditional sentence is imposed, the accused serves his/her sentence in the community under supervision. For a conditional sentence to be imposed, the following conditions must be met: the offence must not be subject to a mandatory minimum sentence; the maximum length of the prison sentence associated with the offence must be less than two years; and the court must have good reason to believe that the offender will not be a threat to the community. The accused who receives a conditional sentence must comply with certain conditions, such as house arrest, curfews, refraining from drinking alcohol or driving, treatment programs or community service orders. The accused may be imprisoned if he/she violates these conditions.
4. Probation is mandatory in cases where the accused receives a conditional discharge or a suspended sentence.
5. Includes restitution, unconditional or conditional discharge, suspended sentence, community service order and cease and desist order. The figures for the "other sentences" category are weak, since these sentences are among the less serious penalties and are often imposed in conjunction with other less serious penalties.
Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident. A case can result in more than one sentence.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Males found guilty in intimate partner violence cases more likely to be sentenced to custody than female accused

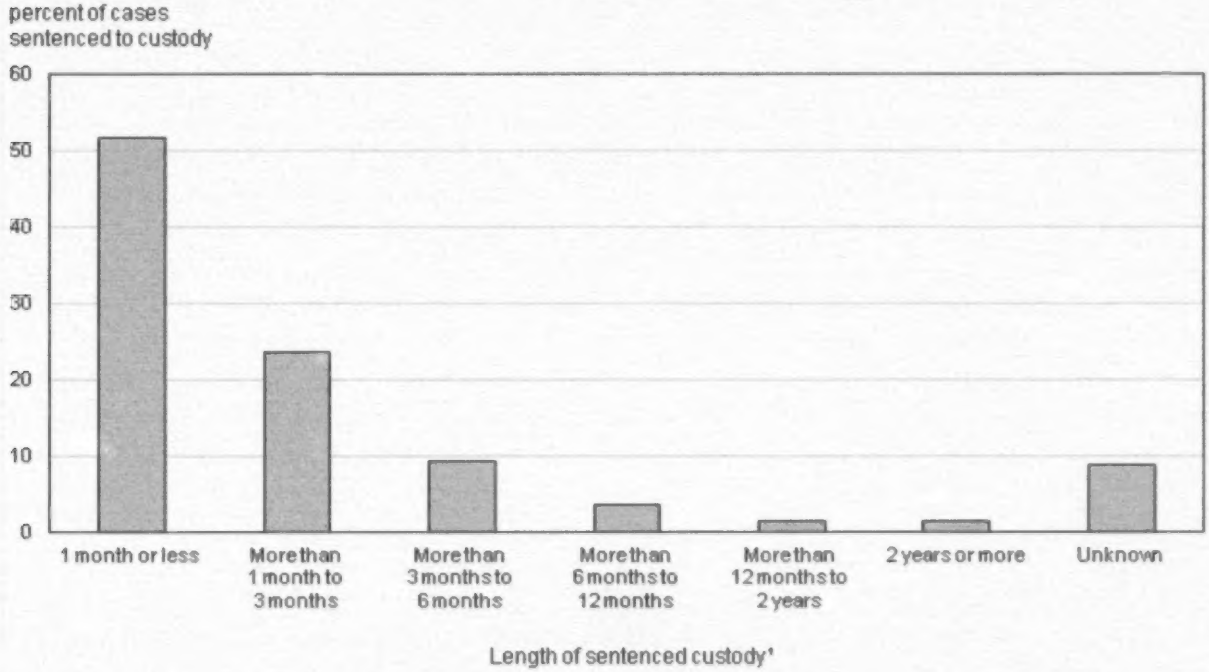
Examining sentences by the sex of the accused reveals that males were more commonly sentenced to custody than females when found guilty in IPV cases. In IPV cases, the proportion of males who received a sentence of custody was over twice as high as that of females found guilty of some form of IPV (33% versus 14%) (Table 9). For females found guilty in IPV cases, probation was more often considered. The courts handed down probation for 62% of IPV cases involving a guilty female accused compared to 48% of guilty male accused. These differences may be related to the fact that completed IPV related cases involving male accused were proportionally more likely to involve multiple charges (61%) relative to female accused (44%) (data not shown).

Shorter custodial sentences common in intimate partner violence cases than in non-intimate partner violence cases

In accordance with the fundamental principle of proportionality set out in section 718.1 of the *Criminal Code*, the sentence generally increases with the gravity of the offence and the degree of responsibility of the offender.[14] This was evident in IPV cases, as breach of probation, sexual assault[15] and major assault were the offences most likely to result in a sentence of custody (Table 8).[16] In approximately half of guilty cases involving major assault against an intimate partner custody was imposed, a proportion three times higher than for guilty IPV cases of common assault (48% versus 15%).

While imprisonment is often considered the most serious penalty, custody sentences in IPV cases were typically fairly short, with the majority (85%) of those imposed in IPV cases being for six months or less (Chart 3; Table 10). Furthermore, the length of sentenced custody was one month or less for half of the persons convicted in these cases. For approximately 4% of convicted persons, sentences were between six months and one year less a day. Few of those found guilty in IPV cases were sentenced to more than one year in custody (3%).

Chart 3
Guilty cases of intimate partner violence sentenced to custody in adult criminal court, by length of sentenced custody, Canada, 2005/2006 to 2010/2011



1. The length of custody sentences excludes time spent in detention before sentencing and the credit for time spent in detention before the sentence is handed down. The length of custodial sentences could be affected if the sentence was served in pre-trial detention. For example, "time served," or time spent in detention before the court decision and sentencing (which is not uncommon for more serious offences), is likely to affect the length of the sentence.
Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident. A case can result in more than one sentence.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

The length of sentenced custody tended to be slightly longer in non-IPV cases. In these cases, 44% of custodial sentences imposed were for one month or less, while more than 10% were for more than one year (including 7% for two or more years).

Among completed IPV cases involving custody, the length of the sentence was more likely to be one month or less for persons facing one charge (58%). In cases with two or more charges, the custodial sentence handed down by courts tended to be slightly longer. In these cases, the majority of offenders still received a sentence of one month or less (51%), but a

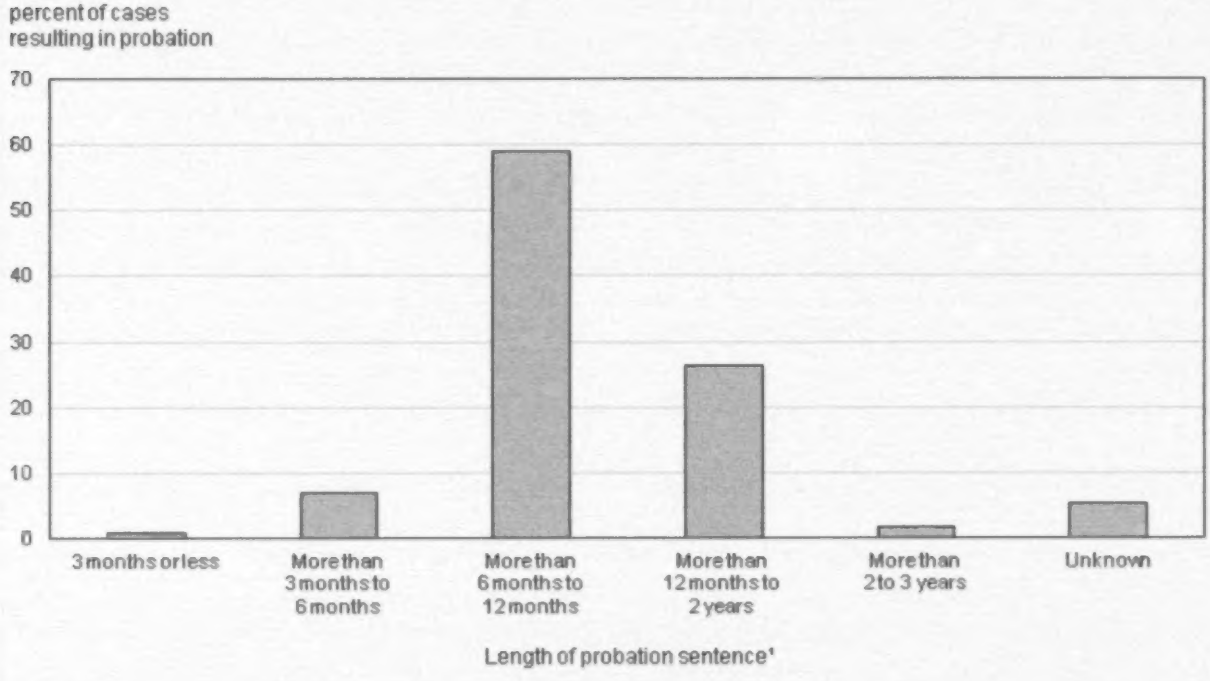
larger proportion received longer sentences. About 7% of those found guilty, in cases with multiple charges, were sentenced to more than six months in custody, compared to about 4% of those found guilty of one charge (Table 11).

As stated earlier, these results do not take into consideration time spent in detention before sentencing and its subsequent impact on the length of custodial sentencing. Time served or spent in detention before sentencing may reduce the length of the custodial sentence (Uniform Law Conference of Canada, 2009).

Most probation sentences for intimate partner violence cases are between six months and one year

For the majority of accused persons in IPV cases who were sentenced to probation (59%), the length of probation was more than six months but less than one year (Chart 4; Table 12). The proportion was similar for persons accused in non-IPV cases (57%). Probation sentences of less than six months were seldom handed down (8% for IPV cases and 12% for non-IPV cases).

Chart 4
Guilty cases of intimate partner violence sentenced to probation in adult criminal court, by length of probation, Canada, 2005/2006 to 2010/2011



1. Probation sentences are less serious than custodial sentences. Probation orders include conditions that convicted persons must satisfy to continue to serve their sentence in the community. These conditions include the following: restrictions on firearms; restrictions on permits; community service order; prohibition order; and restrictions preventing the accused from holding public office.
Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident. A case can result in more than one sentence.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

The seriousness of the offence is also a factor considered in determining the length of probation sentences. As with custody sentences, cases involving sexual assault and criminal harassment resulted in the longest probation sentences for those convicted in IPV cases and in non-IPV cases. More than half of persons found guilty of sexual assault or criminal harassment were sentenced to more than one year of probation. By contrast, probation sentences for common assault were shorter, with three-quarters of persons charged with this offence sentenced to less than one year of probation (Table 13).

Summary

Findings from the analysis of the linked data through the Uniform Crime Reporting Survey and the Integrated Criminal Court Survey for the period from 2005/2006 to 2010/2011 found a number of different patterns in court characteristics between intimate partner violence and non-intimate partner cases. The majority of completed cases involving violence in adult criminal courts were related to intimate partner violence. Most cases of both IPV and non-IPV resulted in a guilty verdict.

Overall, the case processing time taken for IPV cases was shorter than the time taken to complete non-IPV cases. Regardless of the relationship between the victim and the accused, the median time for completion was shorter in cases that involved only one charge and resulted in a guilty verdict.

In completed cases involving violent offences, probation was the most common sentence that the courts imposed. Overall, persons found guilty in IPV cases were less likely to be incarcerated than those who had committed similar offences in non-IPV cases. In cases involving sentenced custody, those found guilty in IPV cases generally received a shorter sentence relative to those that were guilty in non-IPV cases, though the potential impact of pre-trial detention could not be accounted for in this study.

It is important to note that the current study could not control for several factors that can impact both case processing and outcomes. These factors could include but are not limited to previous criminal history of the accused, plea bargaining, whether or not children witnessed the incident, and/ or whether the case was heard in a specialized domestic violence court (for further discussion on the study limitations see Analytical approach: Record linkage process and study limitations).

Analytical approach: Record linkage process and study limitations

As part of a study on family violence in Canada, a probabilistic record linkage of data files was performed by Statistics Canada that linked police incidents from the Uniform Crime Reporting Survey (UCR 2, 2006-2011) with their related court charges from the Integrated Criminal Court Survey (ICCS, 2005/2006 to 2010/2011). The scope of the linkage included police-reported incidents in which a violent offence was committed and charges were laid, and in which the accused was not a company. It was not possible to include incidents having more than one accused due to ambiguities in the victim-accused relationship variable when more than one accused is present. Therefore, multiple-accused incidents were outside the scope of this linkage study. Due to the lack of an anonymous key to link files from policing and courts data in Quebec, this province was excluded entirely.

The record linkage project paired in-scope police reported-incidents with a corresponding court charge or police-reported charges based on a set of linkage variables, including province (ensuring the province of the respondent matches the province of the courts), accused soundex (which is the result of an algorithm that encodes names for confidentiality reasons), date of birth, sex and date of offence. Consideration was given for agreement on the UCR violation. All ICCS court charges, excluding companies and Quebec, were available for the linkage. Court charges with a non-violent UCR value were not removed from the linkage dataset because of the potential for a court charge to be downgraded from the charge laid by police.

In summary, the target population for linkage was:

- accused persons, aged 18 or older, who were charged by police for committing a violent incident (for which there were no other accused persons and at least one victim),
    - for whom the incident was not reported by a Quebec police service,
    - for whom the charge was not processed in a Quebec court.

The study population included all cases completed in adult criminal court that could be linked with police data and that involved an adult accused (aged 18 years and over). As is generally done in analyses based on the UCR2, the study excluded cases where the victim's sex, age and relationship with the accused were unknown. Similarly, cases involving victims aged 90 years and over were excluded because of the possibility that cases for which the age was unknown had been incorrectly classified in this age category. Finally, victims of intimate partner violence as recorded through the UCR; under 15 years of age were excluded. The size of the sample on which this *Juristat* is based was 318,072 accused persons, of whom 179,826 committed one or more violent offences against an intimate partner (as captured through the UCR and the reference year).

Survey descriptions

Incident-based Uniform Crime Reporting Survey

The Incident-based Uniform Crime Reporting Survey (UCR2) collects detailed information on criminal incidents that have been reported to and substantiated by Canadian police services. This information includes characteristics pertaining to incidents (weapon, location), victims (age, sex, accused-victim relationship) and accused persons (age, sex). In 2013, the data represented police services that serve 99% of the Canadian population.

Integrated Criminal Court Survey

The objective of the Integrated Criminal Court Survey (ICCS) is to develop and maintain a national database of statistical information on appearances, charges, and cases in youth and adult criminal court. The survey is intended to be a census of pending and completed federal statute charges heard in provincial-territorial and superior courts in Canada. Appeal courts, federal courts (e.g., Tax Court of Canada) and the Supreme Court of Canada are not covered by the survey.

For the purpose of this study, the main unit of analysis is the case, which consists of one or more charges brought against a person. Only cases in which all charges were dealt with in a final decision are included.

Most serious offence in a case

A case that involves more than one charge is represented by the most serious offence, which is selected according to the following rules. First, court decisions are considered and the charge with the most serious decision is selected. Decisions are ranked from most serious to least serious as follows: 1) guilty; 2) guilty of a lesser offence; 3) acquitted; 4) stay of proceeding; 5) withdrawn, dismissed or discharged; 6) not criminally responsible; 7) other; and 8) transfer of court jurisdiction. Second, in cases where two or more charges have resulted in the same most serious decision (e.g., guilty), *Criminal Code* sentences are considered. Charges are classified according to an offence seriousness scale, which is based on actual sentences handed down by courts in Canada. Each offence is ranked by looking at (1) the proportion of guilty charges where custody was imposed; and (2) the average (mean) length of custody for the specific type of offence. These values are multiplied together to arrive at the final seriousness ranking for each type of offence. If two charges remain tied according to this criterion, information about the sentence type and length is then considered (e.g., custody and length of custody, probation and length of probation).

Study limitations

Further analysis is required to fully understand the complexities of cases involving intimate partner violence, such as exploring the criminal history of the accused person and the impact on decisions and sentencing outcomes. Exploring trends in cases involving multiple victims, variations in case processing or outcomes depending on the age of the victim also merits further study.

Data from the superior courts of Prince Edward Island, Ontario, Manitoba and Saskatchewan could not be extracted through their respective electronic reporting systems and were therefore unavailable. With the absence of data from these superior courts, guilty findings may be slightly underestimated. In addition, as previously stated due to the lack of an anonymous key to link files from policing and courts data in Quebec, this province was excluded entirely from the analysis.

In general, the severity of the sentence depends on the seriousness of the offence. In accordance with the fundamental principle of proportionality set out in section 718.1 of the *Criminal Code*, there are a number of aggravating and mitigating factors that can also affect the type and duration of the sentence imposed on the accused. The effect of any factor largely depends on the circumstances and context of each case. The following are just some examples of aggravating or mitigating factors in intimate partner violence cases: guilty plea or confession, accused person's criminal history (criminal record), history of violence against the accused, presence of children at the time of the offence, etc.

At the time of publication, information concerning the plea was under review (specifically, standardizing how different jurisdictions report this information). A guilty plea usually reduces the processing time of a case.

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Notes

1. Violent incidents where the victim or accused was not identified or where there was more than one accused involved in the incident were excluded from analysis, this represents 11% of police records cleared by charge available for linking to courts data.

2. Includes victims between the ages of 15 and 89 years.

3. Includes victims under the age of 90 years.

4. Includes victims under the age of 90 years.

5. A case consists of one or more charges brought against a person that were dealt with by the courts at the same time and for which a final decision was made. See Text box 1.

6. Excludes incidents for which the age or sex of the victim was unknown or where the age of the victim was under the age of 15 at the time of the incident.

7. Multiple-charge cases include all charges in the case, regardless of whether they resulted in a guilty verdict.

8. A guilty verdict is reached when the accused pleads guilty or when the court determines that the accused is responsible for having committed or attempted to commit a criminal offence.

9. See the *Constitution Act, 1982,* Part 1: *Canadian Charter of Rights and Freedoms,* section 11.

10. The time needed to process a case depends on several factors. These include the volume of cases coming before the courts, the type of plea (see the section entitled "Analytical approach: record linkage process and study limitations" at the end of this section), the offence involved, the complexity of the cases in question, the logistics of coordinating the persons required to participate in the criminal justice process and their availability, the decisions made by lawyers regarding their client, failure of the accused to appear in court, etc.

11. Accused persons sentenced to a period of probation remain in the community and are bound by a number of conditions (e.g., keep the peace, appear in court when required or community service).

12. A custody sentence involves a person being sentenced to a secure facility or prison for a specified period of time. In Canada, there are two levels of custody for adults: provincial custody which involves sentences up to two years less a day, and federal custody which involves sentences of two or more years.

13. Many cases result in more than one type of sentence (e.g., prison followed by a probation period). In this study, only the most serious sentence imposed is examined.

14. When sentencing, judges may also weigh certain mitigating or aggravating factors, such as the type and gravity of the offence, the extent of harm inflicted on the victim, and the number and nature of the accused person's previous convictions. The linked database used does not include information about these factors (see the section entitled "Analytical approach: record linkage process and study limitations" at the end of this section).

15. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code of Canada*).

16. In cases where there are multiple charges, information on decisions of guilt and on sentencing may be related to lesser charges. Information on the decision or consequent sentencing specific to the most serious offence is not available.

Detailed data tables

Table 1
Completed cases in adult criminal court for cases involving violent offences, by accused- victim relationship and sex of victim, Canada, 2005/2006 to 2010/2011

	Female victims		Male victims		Total victims	
Accused-victim relationship	**number**	**percent**	**number**	**percent**	**number**	**percent**
Intimate partner[1]	152,608	72	27,218	25	179,826	57
Family member[2]	16,674	8	11,006	10	27,680	9
Friend or acquaintance[3]	28,712	14	37,464	35	66,176	21
Stranger	12,942	6	31,448	29	44,390	14
Unknown[4]	10,215	...	6,570	...	16,785	...
Total	**221,151**	**100**	**113,706**	**100**	**334,857**	**100**

... not applicable
1. Includes married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
2. Includes family members related to the victim by blood, marriage (including common-law union) or adoption (e.g., parent, child, other immediate family member, member of the extended family).
3. Includes friend, acquaintance, authority figure, business or criminal associate, neighbour.
4. Includes cases for which the relationship between the accused and the victim was recorded as "unknown" by the police.
Note: Includes victims between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 2
Completed cases in adult criminal court, by most serious offence and relationship, Canada, 2005/2006 to 2010/2011

	Intimate partner violence cases[2]		Non-intimate partner violence cases[3]		Total	
Most serious offence[1]	number	percent	number	percent	number	percent
Common assault[4]	77,707	43	37,218	27	114,925	36
Major assault[5]	19,244	11	24,878	18	44,122	14
Uttering threats	19,398	11	17,728	13	37,126	12
Criminal harassment	4,755	3	2,176	2	6,931	2
Sexual assault and other sexual offences[6]	1,634	1	8,989	7	10,623	3
Other violent offences[7]	4,053	2	7,004	5	11,057	3
Other non-violent offences[8]	53,035	29	40,253	29	93,288	29
Total	**179,826**	**100**	**138,246**	**100**	**318,072**	**100**

1. The Common Offence Classification (COC) divides offences into 32 categories (e.g., major assault, impaired driving). This common classification of offences allows users to compare analytical results between different databases and to examine data in various sectors of the justice system using a single set of offence categories. Common Offence Classification categories are determined by aggregating each offence category in the Uniform Crime Reporting Survey into broader categories.
2. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
3. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.
4. Common assault (level 1 assault, section 266 of the *Criminal Code of Canada*) is the least serious form of assault. A person commits common assault when he/she uses or threatens to use force against another person without that person's consent. The level of injury to the victim is what distinguishes this type of assault from other more serious types.
5. Includes assault with a weapon (level 2, section 267 of the *Criminal Code of Canada*), aggravated assault (level 3, section 268 of the *Criminal Code of Canada*) and other forms of assault (assault against a police officer and unlawfully causing bodily harm).
6. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code of Canada*) and other sexual assaults.
7. Includes homicide, attempted murder, robbery, other crimes against the person.
8. Other non-violent offences include, theft of motor vehicle, theft, breaking and entering, fraud, possession of stolen property, other property crime, failure to appear, unlawfully at large, other administration of justice violations, weapons violations, prostitution, disturbing the peace, other *Criminal Code* offences, impaired driving, other *Criminal Code* traffic violations, drug possession, other drug-related offences, *Youth Criminal Justice Act/Young Offenders Act*, other federal statutes violations.
Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 3
Completed cases in adult criminal court for cases involving violent offences, by type of decision, relationship and sex of accused, Canada, 2005/2006 to 2010/2011

	Accused females		Accused males		Total cases	
Type of decision	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[1]						
Guilty[2]	11,674	44	95,894	63	107,568	60
Acquitted[3]	275	1	2,509	2	2,784	2
Stayed or withdrawn[4]	14,299	54	53,643	35	67,942	38
Other decisions[5]	296	1	1,236	1	1,532	1
Total IPV decisions	**26,544**	**100**	**153,282**	**100**	**179,826**	**100**
Non-intimate partner violence (non-IPV) cases[6]						
Guilty[2]	14,303	57	73,519	65	87,822	64
Acquitted[3]	309	1	2,245	2	2,554	2
Stayed or withdrawn[4]	10,058	40	36,458	32	46,516	34
Other decisions[5]	240	1	1,114	1	1,354	1
Total Non-IPV decisions	**24,910**	**100**	**113,336**	**100**	**138,246**	**100**
Total decisions	**51,454**	**...**	**266,618**	**...**	**318,072**	**...**

... not applicable
1. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
2. Include the following decisions: guilty of the offence, of an included offence, of an attempt of the offence, or of an attempt of an included offence. This category also includes cases where an absolute or conditional discharge has been imposed.
3. The accused has been found not guilty of the charges brought before the court.
4. Includes stays, withdrawals, dismissals and discharges at the pre-trial hearing as well as court referrals to alternative or extrajudicial measures and restorative justice programs. These decisions all refer to the court stopping criminal proceedings against the accused.
5. Includes the following final decisions: accused not criminally responsible and waived out of province or territory. This category also includes any order for which a conviction was not recorded, the court's acceptance of a special plea, cases in which arguments refer to the Charter and cases in which the accused was found unfit to stand trial.
6. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.
Note: Includes victims between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 4
Completed cases in adult criminal court for cases involving violent offences, by type of decision, relationship and number of charges laid against the accused, Canada, 2005/2006 to 2010/2011

	Single-charge cases		Multiple-charge cases[1]		Total cases	
Type of decision	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[2]						
Guilty[3]	30,202	40	77,366	74	107,568	60
Acquitted[4]	1,565	2	1,219	1	2,784	2
Stayed or withdrawn[5]	41,663	56	26,279	25	67,942	38
Other decisions[6]	1,256	2	276	0	1,532	1
Total IPV decisions	**74,686**	**100**	**105,140**	**100**	**179,826**	**100**
Non-intimate partner violence (non-IPV) cases[7]						
Guilty[3]	23,949	44	63,873	76	87,822	64
Acquitted[4]	1,419	3	1,135	1	2,554	2
Stayed or withdrawn[5]	27,638	51	18,878	22	46,516	34
Other decisions[6]	887	2	467	1	1,354	1
Total non- IPV decisions	**53,893**	**100**	**84,353**	**100**	**138,246**	**100**
Total decisions	**128,579**	**...**	**189,493**	**...**	**318,072**	**...**

... not applicable
1. A case that involves more than one charge is represented by the most serious offence. Cases involving multiple offences include all charges in the case, regardless of whether they resulted in a guilty verdict.
2. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
3. Include the following decisions: guilty of the offence, of an included offence, of an attempt of the offence, or of an attempt of an included offence. This category also includes cases where an absolute or conditional discharge has been imposed.
4. The accused was found not guilty of the charges brought before the court.
5. Includes stays, withdrawals, dismissals and discharges at the pre-trial hearing as well as court referrals to alternative or extrajudicial measures and restorative justice programs. These decisions all refer to the court stopping criminal proceedings against the accused.
6. Include the following final decisions: accused not criminally responsible and waived out of province or territory. This category also includes any order for which a conviction was not recorded, the court's acceptance of a special plea, cases in which arguments refer to the Charter and cases in which the accused was found unfit to stand trial.
7. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.
Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 5
Guilty cases completed in adult criminal court, by type of most serious offence, relationship and number of guilty decisions against the accused, Canada, 2005/2006 to 2010/2011

	Cases with a single guilty decision[2]		Cases with multiple guilty decisions[3]		Cases with no guilty decision		Total cases	
Most serious offence[1]	number	percent	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[4]								
Common assault[5]	38,199	49	2,389	3	37,119	48	77,707	100
Major assault[6]	3,935	20	5,494	29	9,815	51	19,244	100
Uttering threats	3,832	20	6,868	35	8,698	45	19,398	100
Criminal harassment	1,434	30	1,406	30	1,915	40	4,755	100
Mischief	1,777	24	3,364	45	2,335	31	7,476	100
Breach of probation	1,424	15	6,736	69	1,540	16	9,700	100
Failure to comply with court order	4,721	24	11,060	56	3,853	20	19,634	100
Sexual assault[7]	183	12	332	22	998	66	1,513	100
Other offences[8]	3,432	17	10,982	54	5,985	29	20,399	100
Total IPV guilty cases	**58,937**	**33**	**48,631**	**27**	**72,258**	**40**	**179,826**	**100**
Non-intimate partner violence (non-IPV) cases[9]								
Common assault[5]	19,099	51	1,225	3	16,894	45	37,218	100
Major assault[6]	7,828	31	7,594	31	9,456	38	24,878	100
Uttering threats	4,243	24	5,421	31	8,064	45	17,728	100
Criminal harassment	629	29	486	22	1,061	49	2,176	100
Mischief	1,329	29	2,007	43	1,292	28	4,628	100
Breach of probation	796	17	3,282	69	688	14	4,766	100
Failure to comply with court order	2,119	27	4,048	51	1,705	22	7,872	100
Sexual assault[7]	2,080	29	1,223	17	3,987	55	7,290	100
Other offences[8]	7,439	23	16,974	54	7,277	23	31,690	100
Total non-IPV guilty cases	**45,562**	**33**	**42,260**	**31**	**50,424**	**36**	**138,246**	**100**
Total guilty cases	**104,499**	**33**	**90,891**	**29**	**122,682**	**39**	**318,072**	**100**

1. The Common Offence Classification (COC) divides offences into 32 categories (e.g., major assault, driving while impaired). This classification allows users to compare analytical results between different databases and to examine data from various sectors of the justice system using a single set of offence categories. Common Offence categories are determined by aggregating each offence category in the Uniform Crime Reporting Survey into broader categories.
2. Cases that resulted in a single finding of guilt. In cases where the accused faced more than one charge in criminal court, this refers to the most serious charge in the case.
3. Cases that resulted in more than one finding of guilt. Conviction for more than one charge, including the most serious charge.
4. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
5. Common assault (level 1 assault, section 266 of the *Criminal Code of Canada*) is the least serious form of assault. A person commits common assault when he/she uses or threatens to use force against another person without that person's consent. The level of injury to the victim is what distinguishes this type of assault from other more serious types.
6. Includes assault with a weapon (level 2, section 267 of the *Criminal Code of Canada*), aggravated assault (level 3, section 268 of the *Criminal Code of Canada*) and other forms of assault (assault against a peace officer and unlawfully causing bodily harm).
7. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code* of *Canada*) and other forms of sexual assault.
8. Includes homicide, attempted murder, robbery, other sexual offences, other violent crimes, theft of motor vehicle, theft, breaking and entering, fraud, possession of stolen property, other property crime, failure to appear, unlawfully at large, other administration of justice violations, weapons violations, prostitution, disturbing the peace, other *Criminal Code* offences, impaired driving, other *Criminal Code* traffic violations, drug possession, other drug-related offences, *Youth Criminal Justice Act/ Young Offenders Act*, other federal statutes violations.
9. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 6
Cases completed in adult criminal court, by median elapsed time and relationship, Canada, 2005/2006 to 2010/2011

Relationship	Median elapsed time[1] (in days)
Types of intimate partner violence (IPV) cases[2]	
Single-charge cases	99
Multiple-charge cases[3]	143
Cases with a verdict of not guilty[4]	139
Cases with a guilty verdict[5]	113
Single-conviction cases[6]	99
Multiple-conviction cases[7]	129
Total IPV cases	**124**
Type of non-intimate partner violence (non-IPV) cases[8]	
Single-charge cases	134
Multiple-charge cases[3]	163
Cases with a verdict of not guilty[4]	175
Cases with a guilty verdict[5]	137
Single-conviction cases[6]	131
Multiple-conviction cases[7]	143
Total non-IPV cases	**151**
Total cases of violence (IPV and non-IPV)	**134**

1. The median time elapsed is the central point in a series of values representing the number of days needed to complete a case, from the first appearance to the last.
2. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
3. A case involving more than one charge is represented by the most serious offence. Cases involving multiple charges include all charges in the case, regardless of whether they resulted in a guilty verdict.
4. Includes the following decisions: acquittals, stays, withdrawals, dismissals and discharges at preliminary inquiry as well as court referrals to alternative or extrajudicial measures and restorative justice programs, and other decisions.
5. Cases in which the accused received a guilty finding for at least one charge against him/her.
6. For cases with single or multiple charges, the accused received a guilty finding for one charge.
7. For cases with multiple charges, the accused received a guilty finding for more than one charge, including the most serious charge.
8. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 7
Guilty cases completed in adult criminal court, by most serious sentence, relationship and number of charges, Canada, 2005/2006 to 2010/2011

	Single-charge cases		Multiple-charge cases[1]		Total guilty cases	
Most serious sentence	number	percent	number	percent	number	percent
Intimate partner violence cases[2] (IPV)						
Custody	4,120	14	29,528	38	33,648	31
Conditional sentence[3]	937	3	4,200	5	5,137	5
Probation[4]	20,013	66	33,200	43	53,213	49
Fine	778	3	5,057	7	5,835	5
Other sentences[5]	4,354	14	5,381	7	9,735	9
Total guilty IPV cases	**30,202**	**100**	**77,366**	**100**	**107,568**	**100**
Non-intimate partner violence (non-IPV) cases[6]						
Custody	4,796	20	29,321	46	34,117	39
Conditional sentence[3]	1,269	5	4,264	7	5,533	6
Probation[4]	13,478	56	21,715	34	35,193	40
Fine	1,578	7	4,452	7	6,030	7
Other sentences[5]	2,828	12	4,121	6	6,949	8
Total guilty non-IPV cases	**23,949**	**100**	**63,873**	**100**	**87,822**	**100**
Total guilty cases	**54,151**	**...**	**141,239**	**...**	**195,390**	**...**

... not applicable

1. A case that includes more than one charge is represented by the most serious offence. Cases involving multiple charges include all the charges in the case, regardless of whether they resulted in a guilty verdict.
2. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
3. The conditional sentencing option came into force under Bill C-41 in September 1996. When a conditional sentence is imposed, the accused serves his/her sentence in the community under supervision. For a conditional sentence to be imposed, the following conditions must be met: the offence must not be subject to a mandatory minimum sentence; the maximum length of the prison sentence associated with the offence must be less than two years; and the court must have good reason to believe that the offender will not be a threat to the community. The accused who receives a conditional sentence must comply with certain conditions, such as house arrest, curfews, refraining from drinking alcohol or driving, treatment programs or community service orders. The accused may be imprisoned if he/she violates these conditions. The collection of data on conditional sentences in the various jurisdictions is not consistent over time.
4. Probation is mandatory in cases where the accused receives a conditional discharge or a suspended sentence.
5. Includes restitution, unconditional or conditional discharge, suspended sentence, community service order and cease and desist order.
6. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 8
Guilty cases completed in adult criminal court, by type of offence, most serious sentence and relationship, Canada, 2005/2006 to 2010/2011

	Most serious sentence											
	Custody		Conditional sentence[2]		Probation[3]		Fine		Other sentences[4]		Total guilty cases	
Most serious offence[1]	#	%	#	%	#	%	#	%	#	%	#	%
Intimate partner violence (IPV) cases[5]												
Common assault[6]	5,960	15	1,209	3	28,322	70	801	2	4,296	11	40,588	100
Major assault[7]	4,520	48	978	10	3,156	33	60	1	715	8	9,429	100
Uttering threats	3,495	33	534	5	5,697	53	200	2	774	7	10,700	100
Criminal harassment	914	32	173	6	1,578	56	18	1	157	6	2,840	100
Mischief	1,062	21	181	4	3,256	63	283	6	359	7	5,141	100
Breach of probation	5,100	63	512	6	1,649	20	519	6	380	5	8,160	100
Failure to comply with court order	5,619	36	517	3	5,275	33	2,292	15	2,078	13	15,781	100
Sexual assault[8]	312	61	70	14	77	15	0	0	56	11	515	100
Other offences[9]	6,666	46	963	7	4,203	29	1,662	12	920	6	14,414	100
Total guilty IPV cases	**33,648**	**31**	**5,137**	**5**	**53,213**	**49**	**5,835**	**5**	**9,735**	**9**	**107,568**	**100**
Non-intimate partner violence (non-IPV) cases[10]												
Common assault[6]	3,007	15	664	3	13,299	65	1,402	7	1,952	10	20,324	100
Major assault[7]	7,007	45	1,575	10	5,221	34	528	3	1,091	7	15,422	100
Uttering threats	3,437	36	448	5	4,720	49	412	4	647	7	9,664	100
Criminal harassment	305	27	69	6	668	60	11	1	62	6	1,115	100
Mischief	738	22	107	3	2,024	61	272	8	195	6	3,336	100
Breach of probation	2,431	60	241	6	896	22	308	8	202	5	4,078	100
Failure to comply with court order	2,295	37	175	3	1,697	28	1,069	17	931	15	6,167	100
Sexual assault[8]	1,540	47	570	17	819	25	21	1	353	11	3,303	100
Other offences[9]	13,357	55	1,684	7	5,849	24	2,007	8	1,516	6	24,413	100
Total guilty non-IPV cases	**34,117**	**39**	**5,533**	**6**	**35,193**	**40**	**6,030**	**7**	**6,949**	**8**	**87,822**	**100**
Total guilty cases	**67,765**	**...**	**10,670**	**...**	**88,406**	**...**	**11,865**	**...**	**16,684**	**...**	**195,390**	**...**

... not applicable

1. The Common Offence Classification (COC) divides offences into 32 categories (e.g., major assault, impaired driving). This common classification of offences allows users to compare analytical results between different databases and to examine data in various sectors of the justice system using a single set of offence categories. Common offence Classification categories are determined by aggregating each offence category in the Uniform Crime Reporting Survey into broader categories.

2. The conditional sentencing option came into force under Bill C-41 in September 1996. When a conditional sentence is imposed, the accused serves his/her sentence in the community under supervision. For a conditional sentence to be imposed, the following conditions must be met: the offence must not be subject to a mandatory minimum sentence; the maximum length of the prison sentence associated with the offence must be less than two years; and the court must have good reason to believe that the offender will not be a threat to the community. The accused who receives a conditional sentence must comply with certain conditions, such as house arrest, curfews, refraining from drinking alcohol or driving, treatment programs or community service orders. The accused may be imprisoned if he/she violates these conditions. The collection of data on conditional sentences in the various jurisdictions is not consistent over time.

3. Probation is mandatory in cases where the accused receives a conditional discharge or a suspended sentence.

4. Includes restitution, unconditional or conditional discharge, suspended sentence, community service order and cease and desist order.

5. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.

6. Common assault (level 1 assault, section 266 of the *Criminal Code of Canada*) is the least serious form of assault. A person commits common assault when he/she uses or threatens to use force against another person without that person's consent. The level of injury to the victim is what distinguishes this type of assault from other more serious types.

7. Includes assault with a weapon (level 2, section 267 of the *Criminal Code of Canada*), aggravated assault (level 3, section 268 of the *Criminal Code of Canada*) and other forms of assault (assault against a peace officer and unlawfully causing bodily harm).

8. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code of Canada*) and other forms of sexual assault.

9. Includes homicide, attempted murder, robbery, other sexual offences, other violent crimes, theft of motor vehicle, theft, breaking and entering, fraud, possession of stolen property, other property crime, failure to appear, unlawfully at large, other administration of justice violations, weapons violations, prostitution, disturbing the peace, other *Criminal Code* offences, impaired driving, other *Criminal Code* traffic violations, drug possession, other drug-related offences, *Youth Criminal Justice Act/ Young Offenders Act*, other federal statutes violations.

10. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 9
Guilty cases completed in adult criminal court, by most serious sentence, relationship and sex of accused, Canada, 2005/2006 to 2010/2011

	Accused females		Accused males		Total guilty cases	
Most serious sentence	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[1]						
Custody	1,648	14	32,000	33	33,648	31
Conditional sentence[2]	443	4	4,694	5	5,137	5
Probation[3]	7,240	62	45,973	48	53,213	49
Fine	576	5	5,259	5	5,835	5
Other sentences[4]	1,767	15	7,968	8	9,735	9
Total guilty IPV cases	**11,674**	**100**	**95,894**	**100**	**107,568**	**100**
Non-intimate partner violence (non-IPV) cases[5]						
Custody	3,525	25	30,592	42	34,117	39
Conditional sentence[2]	907	6	4,626	6	5,533	6
Probation[3]	7,478	52	27,715	38	35,193	40
Fine	933	7	5,097	7	6,030	7
Other sentences[4]	1,460	10	5,489	7	6,949	8
Total guilty non-IPV cases	**14,303**	**100**	**73,519**	**100**	**87,822**	**100**
Total guilty cases	**25,977**	**...**	**169,413**	**...**	**195,390**	**...**

... not applicable

1. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
2. The conditional sentencing option came into force under Bill C-41 in September 1996. When a conditional sentence is imposed, the accused serves his/her sentence in the community under supervision. For a conditional sentence to be imposed, the following conditions must be met: the offence must not be subject to a mandatory minimum sentence; the maximum length of the prison sentence associated with the offence must be less than two years; and the court must have good reason to believe that the offender will not be a threat to the community. The accused who receives a conditional sentence must comply with certain conditions, such as house arrest, curfews, refraining from drinking alcohol or driving, treatment programs or community service orders. The accused may be imprisoned if he/she violates these conditions. The collection of data on conditional sentences in the various jurisdictions is not consistent over time.
3. Probation is mandatory in cases where the accused receives a conditional discharge or a suspended sentence.
4. Includes restitution, unconditional or conditional discharge, suspended sentence, community service order and cease and desist order.
5. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 10
Guilty cases sentenced to custody in adult criminal court, by relationship and length of sentenced custody, Canada, 2005/2006 to 2010/2011

	Length of sentenced custody[1]							
Most serious offence[2]	1 month or less	More than 1 month to 3 months	More than 3 months to 6 months	More than 6 months to 12 months	More than 12 months to less than 2 years	2 years or more	Unknown	Total cases sentenced to custody
	percent							
Intimate partner violence (IPV) cases[3]								
Common assault[4]	59.0	28.0	7.5	1.3	0.2	0.1	4.0	100
Major assault[5]	28.2	26.5	18.4	11.2	4.4	3.4	7.9	100
Uttering threats	52.0	28.3	11.2	2.3	0.3	0.2	5.6	100
Criminal harassment	48.7	34.6	11.4	3.1	0.3	0.5	1.4	100
Mischief	67.3	19.3	4.6	1.1	0.4	0.0	7.3	100
Breach of probation	57.0	24.1	5.8	0.8	0.1	0.1	12.0	100
Failure to comply with court order	70.5	13.5	2.7	0.5	0.0	0.0	12.8	100
Sexual assault[6]	10.9	16.0	15.1	16.7	15.4	21.5	4.5	100
Other offences[7]	41.6	22.9	12.3	5.9	2.7	4.0	10.7	100
Total guilty IPV cases	**51.9**	**23.6**	**9.3**	**3.6**	**1.4**	**1.5**	**8.7**	**100**
Non-intimate partner violence (non-IPV) cases[8]								
Common assault[4]	64.5	23.8	6.6	1.2	0.3	0.1	3.5	100
Major assault[5]	32.3	26.4	15.5	10.3	4.5	4.4	6.6	100
Uttering threats	58.5	25.7	8.2	1.8	0.2	0.3	5.2	100
Criminal harassment	52.8	25.9	10.5	4.9	1.6	2.0	2.3	100
Mischief	65.2	22.4	4.9	0.9	0.3	0.4	6.0	100
Breach of probation	64.0	21.9	5.3	0.7	0.0	0.0	8.0	100
Failure to comply with court order	75.1	12.8	3.1	0.5	0.1	0.0	8.3	100
Sexual assault[6]	13.5	17.0	12.3	15.0	14.3	21.6	6.3	100
Other offences[7]	34.1	19.1	11.5	8.6	5.6	13.3	7.7	100
Total guilty non-IPV cases	**43.7**	**21.5**	**10.4**	**6.6**	**3.8**	**7.2**	**6.8**	**100**

1. The length of custody sentences excludes time spent in detention before sentencing and the credit for the time spent before the sentence is handed down. The length of custodial sentences could be affected if the sentence was served in pre-trial detention. For example, "time served" or time spent in detention before the court decision and sentencing (which is not uncommon for more serious offences), is likely to affect the length of the sentence.
2. The Common Offence Classification (COC) divides offences into 32 categories (e.g., major assault, impaired driving). This common classification of offences allows users to compare analytical results between different databases and to examine data in various sectors of the justice system using a single set of offence categories. Common offence Classification categories are determined by aggregating each offence category in the Uniform Crime Reporting Survey into broader categories.
3. Includes married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
4. Common assault (level 1 assault, section 266 of the *Criminal Code of Canada*) is the least serious form of assault. A person commits common assault when he/she uses or threatens to use force against another person without that person's consent. The level of injury to the victim is what distinguishes this type of assault from other more serious types.
5. Includes assault with a weapon (level 2, section 267 of the *Criminal Code of Canada*), aggravated assault (level 3, section 268 of the Criminal Code of Canada) and other forms of assault (assault against a police officer and unlawfully causing bodily harm).
6. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code of Canada*) and other forms of sexual assault.
7. Includes homicide, attempted murder, robbery, other sexual offences, other violent crimes, theft of motor vehicle, theft, breaking and entering, fraud, possession of stolen property, other property crime, failure to appear, unlawfully at large, other administration of justice violations, weapons violations, prostitution, disturbing the peace, other *Criminal Code* offences, impaired driving, other *Criminal Code* traffic violations, drug possession, other drug-related offences, *Youth Criminal Justice Act/ Young Offenders Act*, other federal statutes violations.
8. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.
Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 11
Guilty cases sentenced to custody in adult criminal court, by length of sentence, relationship and number of charges, Canada, 2005/2006 to 2010/2011

	Single-charge cases		Multiple-charge cases[2]		Total guilty cases	
Length of sentenced custody[1]	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[3]						
1 month or less	2,397	58	15,050	51	17,447	52
More than 1 month to 3 months	1,113	27	6,829	23	7,942	24
More than 3 months to 6 months	303	7	2,827	10	3,130	9
More than 6 months to 12 months	93	2	1,119	4	1,212	4
More than 12 months to less than 2 years	34	1	425	1	459	1
2 years or more	36	1	480	2	516	2
Unknown	144	3	2,798	9	2,942	9
Total IPV cases sentenced to custody	**4,120**	**100**	**29,528**	**100**	**33,648**	**100**
Non-intimate partner violence (non-IPV) cases[4]						
1 month or less	2,319	48	12,589	43	14,908	44
More than 1 month to 3 months	1,078	22	6,254	21	7,332	21
More than 3 months to 6 months	464	10	3,097	11	3,561	10
More than 6 months to 12 months	284	6	1,961	7	2,245	7
More than 12 months to less than 2 years	173	4	1,136	4	1,309	4
2 years or more	266	6	2,184	7	2,450	7
Unknown	212	4	2,100	7	2,312	7
Total non-IPV cases sentenced to custody	**4,796**	**100**	**29,321**	**100**	**34,117**	**100**
Total cases sentenced to custody	**8,916**	...	**58,849**	...	**67,765**	...

... not applicable

1. The length of custody sentences excludes time spent in detention before sentencing and the credit for the time spent before the sentence is handed down. The length of custodial sentences could be affected if the sentence was served in pre-trial detention. For example, "time served," or time spent in detention before the court decision and sentencing (which is not uncommon for more serious offences), is likely to affect the length of the sentence.
2. A case that involves more than one charge is represented by the most serious offence. Cases involving multiple offences include all charges in the case, regardless of whether they resulted in a guilty verdict.
3. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
4. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 12
Guilty cases sentenced to probation in adult criminal court, by length of probation, relationship and number of charges, Canada, 2005/2006 to 2010/2011

	Single-charge cases		Multiple-charge cases[2]		Total guilty cases	
Length of probation[1]	number	percent	number	percent	number	percent
Intimate partner violence (IPV) cases[3]						
3 months or less	179	0.9	318	1.0	497	0.9
More than 3 months to 6 months	1,814	9.1	1,814	5.5	3,628	6.8
More than 6 months to 12 months	13,498	67.4	17,914	54.0	31,412	59.0
More than 12 months to less than 2 years	3,923	19.6	10,046	30.3	13,969	26.3
More than 2 years to 3 years	155	0.8	727	2.2	882	1.7
Unknown	444	2.2	2,381	7.2	2,825	5.3
Total IPV cases sentenced to probation	**20,013**	**100.0**	**33,200**	**100.0**	**53,213**	**100.0**
Non-intimate partner violence (non-IPV) cases[4]						
3 months or less	213	1.6	360	1.7	573	1.6
More than 3 months to 6 months	1,797	13.3	1,811	8.3	3,608	10.3
More than 6 months to 12 months	8,444	62.7	11,739	54.1	20,183	57.3
More than 12 months to less than 2 years	2,450	18.2	5,894	27.1	8,344	23.7
More than 2 years to 3 years	177	1.3	604	2.8	781	2.2
Unknown	397	2.9	1,307	6.0	1,704	4.8
Total non-IPV cases sentenced to probation	**13,478**	**100.0**	**21,715**	**100.0**	**35,193**	**100.0**
Total cases sentenced to probation	**33,491**	...	**54,915**	...	**88,406**	...

... not applicable

1. Probation sentences are less serious than custodial sentences. Probation orders include conditions that convicted persons must satisfy to continue to serve their sentence in the community. These conditions include the following: restrictions on firearms; restrictions on permits; community service order; prohibition order; and restrictions preventing the accused from holding public office.
2. A case that involves more than one charge is represented by the most serious offence. Cases involving multiple offences include all charges in the case, regardless of whether they resulted in a guilty verdict.
3. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
4. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.

Table 13
Guilty cases sentenced to probation in adult criminal court, by type of offence, relationship and length of probation, Canada, 2005/2006 to 2010/2011

	Length of probation						
Most serious offence[1]	3 months or less	More than 3 months to 6 months	More than 6 months to 12 months	More than 12 months to less than 2 years	More than 2 years to 3 years	Unknown	Total cases sentenced to probation
	percent						
Intimate partner violence (IPV) cases[2]							
Common assault[3]	0.7	7.9	66.9	21.1	0.6	2.8	100
Major assault[4]	0.7	3.8	45.5	38.4	4.0	7.8	100
Uttering threats	0.5	4.8	54.9	33.4	2.6	3.9	100
Criminal harassment	0.4	1.5	42.5	46.1	8.7	0.8	100
Mischief	1.3	8.0	60.0	26.4	1.0	3.2	100
Breach of probation	3.0	4.4	44.2	35.7	3.7	9.0	100
Failure to comply with court order	1.8	7.3	48.1	24.2	1.0	17.6	100
Sexual assault[5]	0.0	0.0	35.1	51.9	6.5	6.5	100
Other offences[6]	1.5	6.4	47.0	33.0	3.3	8.9	100
Total guilty IPV cases	**0.9**	**6.8**	**59.0**	**26.3**	**1.7**	**5.3**	**100**
Non-intimate partner violence (non-IPV) cases[7]							
Common assault[3]	1.6	13.2	64.9	16.6	0.8	2.9	100
Major assault[4]	0.8	7.5	51.4	31.0	2.6	6.7	100
Uttering threats	0.9	8.4	60.0	25.0	1.9	3.8	100
Criminal harassment	0.3	1.6	43.1	44.2	10.3	0.4	100
Mischief	2.0	13.0	60.7	20.5	0.8	3.0	100
Breach of probation	4.4	6.8	50.1	29.6	3.5	5.7	100
Failure to comply with court order	3.6	10.0	52.6	21.1	1.4	11.3	100
Sexual assault[5]	0.9	2.3	34.7	43.7	11.2	7.2	100
Other offences[6]	2.1	9.3	49.5	28.1	3.7	7.2	100
Total guilty non-IPV cases	**1.6**	**10.3**	**57.3**	**23.7**	**2.2**	**4.8**	**100**

1. The Common Offence Classification (COC) divides offences into 32 categories (e.g., major assault, impaired driving). This common classification of offences allows users to compare analytical results between different databases and to examine data in various sectors of the justice system using a single set of offence categories. Common offence Classification categories are determined by aggregating each offence category in the Uniform Crime Reporting Survey into broader categories.
2. Refers to violence committed by married, separated or divorced persons, common-law partners, dating partners (current and former) and other intimate partners.
3. Common assault (level 1 assault, section 266 of the *Criminal Code of Canada*) is the least serious form of assault. A person commits common assault when he/she uses or threatens to use force against another person without that person's consent. The level of injury to the victim is what distinguishes this type of assault from other more serious types.
4. Includes assault with a weapon (level 2, section 267 of the *Criminal Code of Canada*), aggravated assault (level 3, section 268 of the Criminal Code of Canada) and other forms of assault (assault against a police officer and unlawfully causing bodily harm).
5. Includes sexual assault (level 1, section 271 of the *Criminal Code of Canada*), sexual assault with a weapon or causing bodily harm (level 2, section 272 of the *Criminal Code of Canada*) and aggravated sexual assault (level 3, section 273 of the *Criminal Code of Canada*).
6. Includes homicide, attempted murder, robbery, other sexual offences, other violent crimes, theft of motor vehicle, theft, breaking and entering, fraud, possession of stolen property, other property crime, failure to appear, unlawfully at large, other administration of justice violations, weapons violations, prostitution, disturbing the peace, other *Criminal Code* offences, impaired driving, other *Criminal Code* traffic violations, drug possession, other drug-related offences, *Youth Criminal Justice Act*/ *Young Offenders Act*, other federal statutes violations.
7. Refers to violence committed by parents, children, brothers, sisters, extended family members, friends, acquaintances, business or criminal associates, authority figures, neighbours and strangers.

Note: Includes victims who were between 15 and 89 years of age at the time of the incident. Excludes incidents for which the age or sex of the victim was unknown. Excludes incidents in which the accused was between 12 and 17 years at the time of the incident.

Source: Statistics Canada, Incident-based Uniform Crime Reporting Survey-Integrated Criminal Court Survey linked database, 2005/2006 to 2010/2011.